

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorneys for the Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA

<p>8 In the Matter of:</p> <p>9 THE COMMISSIONER OF FINANCIAL</p> <p>10 PROTECTION AND INNOVATION,</p> <p>11 Complainant,</p> <p>12 v.</p> <p>13 Calculated Risk Analytics LLC,</p> <p>14 Respondent.</p>	<p>) CRMLA LICENSE NO.: 41DBO-45150</p> <p>)</p> <p>) ORDER TO DISCONTINUE RESIDENTIAL</p> <p>) MORTGAGE LENDING AND/OR</p> <p>) SERVICING ACTIVITIES PURSUANT TO</p> <p>) FINANCIAL CODE SECTION 50319</p>
---	---

15
16
17
18 TO: Calculated Risk Analytics LLC
4000 MacArthur Blvd., Suite 800, Newport, CA 92660

19
20 The Commissioner of Financial Protection and Innovation finds that Calculated Risk
21 Analytics LLC (Respondent) violated provisions of the California Residential Mortgage Lending
22 Act (Fin. Code, § 50000 et seq.) (CRMLA) and hereby issues the following Order to Discontinue
23 Residential Mortgage Lending And/Or Servicing Activities Pursuant to Financial Code section
24 50319:

- 25 1. The Commissioner is authorized to administer and enforce the provisions of the
- 26 CRMLA and rules and regulations promulgated thereunder.
- 27 2. Respondent is a licensed residential mortgage lender and servicer with a principal
- 28 place of business at 4000 MacArthur Blvd., Suite 800, Newport, California 92660.

1 3. Financial Code section 50205 requires a licensed residential mortgage lender and
2 servicer to maintain a surety bond.

3 4. On or about October 25, 2022 the Commissioner received notice that Respondent’s
4 surety bond would be cancelled on December 31, 2022 if the bond was not reinstated, continued, or
5 replaced before that date.

6 5. On August 23, 2023, the Commissioner notified Respondent through the
7 Nationwide Mortgage Licensing System (NMLS) that a replacement surety bond had to be filed
8 within ten days to avoid suspension or revocation of its residential mortgage lender and servicer
9 license.

10 6. Respondent’s bond expired on December 31, 2022.

11 7. Respondent has yet to replace or reinstate its surety bond in violation of Financial
12 Code section 50205.

13 8. Respondent failed to comply with the bonding requirements of Financial Code
14 section 50205 and is conducting residential mortgage lending and/or servicing business in such an
15 unsafe or injurious manner as to render further operations hazardous to the public or to customers.

16 9. Section 50319 of the Financial Code provides in pertinent part:

17 (a) If the commissioner, as a result of any examination or from any report
18 made to him or her, shall find that any person subject to this division is in an
19 insolvent condition, is conducting business in an unsafe or injurious manner
20 that renders further operations hazardous to the public or to customers, has
21 failed to comply with the provision of Section 50317, has permitted its
22 tangible net worth to be lower than the minimum required by law, or has
23 failed to comply with the bonding requirements of Section 50205, the
24 commissioner may, by an order addressed to and served by registered or
25 certified mail, or by personal service on that person, and on any other person
26 having in his or her possession or control any trust funds or other property
27 deposited in escrow with that person, direct discontinuance of the
28 disbursement, in whole or in part, of trust funds held by the licensee and
order the establishment of a separate trust account for all subsequent trust
funds received by the licensee. No person having in his or her possession
any of these funds or documents shall be liable for failure to comply with
the order unless he or she has received written notice of the order. Subject to
subdivision (b), the order shall remain in effect until set aside by the
commissioner, or the person is the subject of an order for relief in
bankruptcy.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(b) Within 15 days from the date of an order pursuant to subdivision (a), the person may request a hearing under the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 2 of Division 3 of Title 2 of the Government Code). Upon receiving a request, the matter shall be set for hearing to commence within 30 days after the receipt unless the person subject to this division consents to a later date. If no hearing is requested within 15 days after the mailing or service of the notice and none is ordered by the commissioner, the failure to request a hearing shall constitute a waiver of the right to a hearing. Neither the request for a hearing nor the hearing itself shall stay the order issued by the commissioner under subdivision (a).

NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING
THEREFORE, it is hereby ORDERED, under the provisions of Financial Code section 50319, Calculated Risk Analytics LLC immediately discontinue the disbursement, in whole or in part, of trust funds held by the licensee and establish a separate trust account for all subsequent trust funds received by the licensee.

THIS ORDER is to remain in full force and effect until further order of the Commissioner of Financial Protection and Innovation.

Dated: September 7, 2023
Sacramento, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorneys for Complainant
5

6 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
7 OF THE STATE OF CALIFORNIA
8

9 In the Matter of:)	CRMLA LICENSE NO.: 41DBO-45150
10 THE COMMISSIONER OF FINANCIAL)	
11 PROTECTION AND INNOVATION,)	
12 Complainant,)	ORDER TO DISCONTINUE VIOLATIONS
13 v.)	PURSUANT TO FINANCIAL CODE
14 Calculated Risk Analytics LLC,)	SECTION 50321
15 Respondent.)	
16)	
17)	

18
19
20 TO: Calculated Risk Analytics LLC
4000 MacArthur Blvd., Suite 800, Newport, CA 92660
21
22

23 The Commissioner of Financial Protection and Innovation (Commissioner) finds that:
24 Calculated Risk Analytics LLC's (Respondent), surety bond expired on December 31, 2022.
25 Respondent failed to maintain its surety bond in violation of Financial Code section 50205.
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING, it is hereby ORDERED under the provisions of the Financial Code sections 50321 and 50323 that Calculated Risk Analytics LLC discontinue the violations set forth above.

Dated: September 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorney for Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA
7

8 In the Matter of:)	CRMLA LICENSE NO.: 41DBO-45150
)	
9 THE COMMISSIONER OF FINANCIAL)	
10 PROTECTION AND INNOVATION,)	
)	
11 Complainant,)	NOTICE OF INTENTION TO ISSUE ORDER
12 v.)	REVOKING CALIFORNIA RESIDENTIAL
)	MORTGAGE LENDING AND/OR
13 Calculated Risk Analytics LLC,)	SERVICING LICENSE
)	
14 Respondent.)	
)	

15
16 Pursuant to Financial Code section 50327 of the California Residential Mortgage Lending
17 Act (Fin. Code, § 50000 et seq.), notice is hereby given of the intention of the Commissioner of
18 Financial Protection and Innovation to enter an Order revoking Respondent, Calculated Risk
19 Analytics LLC’s residential mortgage lender and servicer license.

20 The attached Accusation, which is incorporated herein by this reference, states the reasons
21 for the intended Order.

22 Unless a request for hearing, as evidenced by the mailing or delivery of the Notice of
23 Defense, is received within 15 days after the Accusation was personally served upon you or mailed
24 to you, such Order may be entered at any time thereafter without a hearing.

25
26 Dated: September 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation

27
28 By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(c) The commissioner may by rule require a higher bond amount for a licensee employing one or more mortgage loan originators, based on the dollar amount of residential mortgage loans originated by that licensee and any mortgage loan originators employed by that licensee. Every mortgage loan originator employed by the licensee shall be covered by the surety bond.

9. Financial Code section 50327 provides:

(a) The commissioner may, after notice and a reasonable opportunity to be heard, deny, decline to renew, suspend, or revoke any license if the commissioner finds that:

(1) The licensee has violated any provision of this division or any rule or order of the commissioner thereunder.

(2) Any fact or condition exists that, if it had existed at the time of the original application for the license, reasonably would have warranted the commissioner in refusing to issue the license originally.

(b) The power of investigation and examination by the commissioner is not terminated by the denial, nonrenewal, surrender, suspension, or revocation of any license issued by him or her.

III.

Conclusion

The Commissioner finds that, by reason of the foregoing, Respondent has violated Financial Code section 50205, and based thereon, grounds exist to revoke Respondent’s residential mortgage lender and servicer license.

WHEREFORE, IT IS PRAYED that Calculated Risk Analytics LLC’s residential mortgage lender and servicer license be revoked.

Dated: September 7, 2023
Sacramento, CA

Clothilde V. Hewlett
Commissioner of Financial Protection and Innovation

By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act